

Message Text

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ACTION L-03

INFO OCT-01 IO-14 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 ACDA-19 AF-10 ARA-16 EA-11 EUR-25 NEA-10

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FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC 1749

LIMITED OFFICIAL USE USUN 5351

E.O. 11652: N/A

TAGS: UNGA, ICRC, PARM

SUBJ: UNGA--LEGAL COMMITTEE--HUMAN RIGHTS IN ARMED CONFLICTS

REF: (A) USUN 5293; (B) USUN 5306; (C) USUN 5307

1. RE KENYAN AMENDMENT, TRANSMITTED PARA 4 OF REF (A), Blix (SWEDEN) HAS SUGGESTED FOLLOWING LANGUAGE TO KENYAN REP: "URGES THAT ARRANGEMENTS BE MADE FOR THE PARTICIPATION IN APPROPRIATE FORM IN THE CONFERENCE OF NATIONAL LIBERATION MOVEMENTS RECOGNIZED BY REGIONAL INTERGOVERNMENTAL ORGANIZATIONS." Blix WOULD TRY TO SELL THIS LANGUAGE TO COSPONSORS OF A/C.6/L.964, TRANSMITTED PARA 14 OF REF (A), FOR INCLUSION BY COSPONSORS IN RES, IN RETURN FOR KENYAN AGREEMENT TO WITHDRAW AMENDMENT. PURSUANT TO BETTAUER (USUN) - ALDRICH (L) TELCON, WE INFORMED Blix THAT USG COULD PROBABLY ABSTAIN ON THIS LANGUAGE AND, IF IT INCLUDED, VOTE IN FAVOR OF RES AS A WHOLE.

2. UAE PROPOSED FOLLOWING AMENDMENT A/A/C.6/L.970) TO DRAFT RES A/C.6/L.964: "IN THE FIRST PART OF OPERATIVE PARAGRAPH 3 REPLACE THE WORDS 'REITERATES ITS CALL TO ALL PARTIES TO ARMED CONFLICTS' BY THE FOLLOWING: 'CALLS LIMITED OFFICIAL USE

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UPON ALL PARTIES TO ARMED CONFLICTS TO ACKNOWLEDGE AND

TO COMPLY WITH THEIR OBLIGATIONS UNDER THE
HUMANITARIAN INSTRUMENTS AND'." AT WEO MEETING EVENING
DEC 3, GROUP AGREED IT WOULD BE HARD NOT TO VOTE
FOR AMENDMENT.

3. FOLLOWING CHANGES IN POSITION FROM THOSE REPORTED PARA
9 OF REF (A): BELGIUM STILL PREFERS TO ABSTAIN BUT IS
PERMITTED TO VOTE IN FAVOR OF KENYAN AMENDMENT IF MAJORITY
OF WEO GROUP IN FAVOR; NETHERLANDS PREFERS TO VOTE IN FAVOR
OF KENYAN AMENDMENT BUT PERMITTED TO ABSTAIN IF IT WOULD BE
ISOLATED. TURKEY, NORWAY, NZ AND AUSTRIA WILL ABSTAIN.

4. RE RES A/C.6/L969, TRANSMITTED REF (C), FOLLOWING WEO GROUP
MEMBERS (NONE YET WITH INSTRUCTIONS) EXPECT TO VOTE AGAINST:
US, UK, NETHERLANDS, FRG, AUSTRIA. FOLLOWING EXPECT TO
ABSTAIN: NORWAY, DENMARK, TURKEY, AUSTRALIA, BELGIUM,
ITALY, NZ, CANADA.

5. DELOFF MADE STRONG PITCH AT DEC 3 EVENING WEO MEETING
FOR SOLID WEO OPPOSITION TO RES TRANSMITTED REF (C).
WE THOUGHT IT WOULD BE IMPOSSIBLE TO IMPROVE IT
SUFFICIENTLY TO MAKE ANY REAL IMPACT AND THEREFORE SAID IT
NOT WORTH TRYING. AUSTRIA AGREED. UK AGREED AND SAID WE
SHOULD TREAT IT AS NOT SERIOUS, "LIKE A THIRD COMITE RES."
THIS GENERAL SENTIMENT OF GROUP. NETHERLANDS, HOWEVER,
THOUGHT THAT THE HAGUE WOULD FAVOR ATTEMPTS TO IMPROVE
RES AND NOTED, E.G., THAT HE THOUGHT HIS CAPITAL WOULD BE
SYMPATHETIC TO MAKING DISTINCTION BETWEEN ORDINARY
CIVIL WARS AND WARS OF NATIONAL LIBERATION. DELOFF
EXPRESSED SHOCK AT THIS.

6. DELOFF SUGGESTED POSSIBILITY THAT AFTER GENERAL
DEBATE ON HUMAN RIGHTS IN ARMED CONFLICTS OVER, PERHAPS
SOME OF COSPONSORS OF L.964 COULD BE CONVINCED TO PROPOSE
POSTPONEMENT OF ITEM WITHOUT ADOPTION OF ANY RESES,
I.E., AVOIDING ADOPTION OF L.969. BOTH NETHERLANDS
AND UK THOUGHT THIS PROBABLY UNREALISTIC.
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